

CAHILL GORDON & REINDEL LLP
32 OLD SLIP
NEW YORK, NY 10005

DANIEL R. ANDERSON
HELENE R. BANKS
ANIRUDH BANSAL
DAVID L. BARASH
LANDIS C. BEST
BRADLEY J. BONDI
BROCKTON B. BOSSON
JONATHAN BROWNSON *
DONNA M. BRYAN
JOYDEEP CHOUDHURI *
JAMES J. CLARK
CHRISTOPHER W. CLEMENT
LISA COLLIER
AYANO K. CREED
PRUE CRIDDLE ‡
SEAN M. DAVIS
STUART G. DOWNING
ADAM M. DWORKIN
ANASTASIA EFIMOVA
JENNIFER B. EZRING
HELENA S. FRANCESCHI
JOAN MURTAGH FRANKEL

JONATHAN J. FRANKEL
ARIEL GOLDMAN
PATRICK GORDON
JASON M. HALL
STEPHEN HARPER
WILLIAM M. HARTNETT
NOLA B. HELLER
CRAIG M. HOROWITZ
TIMOTHY B. HOWELL
DAVID G. JANUSZEWSKI
ELAI KATZ
JAKE KEAVENY
BRIAN S. KELLEHER
RICHARD KELLY
CHÉRIE R. KISER †
JOEL KURTZBERG
TED B. LACEY
MARC R. LASHBROOK
ALIZA R. LEVINE
JOEL H. LEVITTIN
GEOFFREY E. LIEBMANN
BRIAN T. MARKLEY

TELEPHONE: (212) 701-3000
WWW.CAHILL.COM

1990 K STREET, N.W.
WASHINGTON, DC 20006-1181
(202) 862-8900

CAHILL GORDON & REINDEL (UK) LLP
20 FENCHURCH STREET
LONDON EC3M 3BY
+44 (0) 20 7920 9800

WRITER'S DIRECT NUMBER

MEGHAN N. McDERMOTT
WILLIAM J. MILLER
EDWARD N. MOSS
NOAH B. NEWITZ
WARREN NEWTON §
DAVID R. OWEN
JOHN PAPACHRISTOS
LUIS R. PENALVER
KIMBERLY PETILLO-DÉCOSSARD
SHEILA C. RAMESH
MICHAEL W. REDDY
OLEG REZZY
THORN ROSENTHAL
TAMMY L. ROY
JONATHAN A. SCHAFFZIN
ANDREW SCHWARTZ
DARREN SILVER
JOSIAH M. SLOTNICK
RICHARD A. STIEGLITZ JR.
ROSS E. STURMAN
SUSANNA M. SUH
ANTHONY K. TAMA

JOHN A. TRIPODORO
GLENN J. WALDRIP, JR.
HERBERT S. WASHER
MICHAEL B. WEISS
DAVID WISHENGRAD
C. ANTHONY WOLFE
COREY WRIGHT
ELIZABETH M. YAHL
JOSHUA M. ZELIG

* ADMITTED AS A SOLICITOR IN
ENGLAND AND WALES ONLY
‡ ADMITTED AS A SOLICITOR IN
WESTERN AUSTRALIA ONLY
† ADMITTED IN DC ONLY
§ ADMITTED AS AN ATTORNEY
IN THE REPUBLIC OF SOUTH AFRICA
ONLY

(212) 701-3833

January 7, 2025

Re: Frommer et al. v. MoneyLion Techs. Inc. et al., No. 23 Civ. 6339 (JMF)

Dear Judge Furman:

Pursuant to Rule 7.C of Your Honor's Individual Rules and Practices in Civil Cases, MoneyLion respectfully requests leave to file under seal specific portions of MoneyLion's Proposed Opposition to Sellers' Proposed Findings of Facts and Conclusions of Law (the "Opposition Brief").

The Opposition Brief contains information that Sellers and non-parties have designated as Confidential or Attorneys' Eyes Only under the Stipulated Confidentiality Agreement and Protective Order (ECF No. 74) (the "Protective Order"). Specifically, it contains excerpts and summaries of (i) documents produced by non-parties and designated as Confidential under the Protective Order; and (ii) documents that Sellers designated as Attorneys' Eyes Only under the Protective Order. Therefore, MoneyLion respectfully requests that these portions of the Opposition Brief remain under seal until this Court has an opportunity to consider Sellers' and the non-parties' requests to keep these documents under seal.

MoneyLion has advised the appropriate parties that, under Rule 7(c)(i) of Your Honor's rules, they have three business days to respond.

Respectfully submitted,

/s/ Sheila C. Ramesh

Sheila C. Ramesh

CAHILL GORDON & REINDEL LLP

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The Honorable Jesse M. Furman
United States District Judge
United States District Court for the Southern District of New York
40 Centre Street, Room 2202
New York, New York 10007

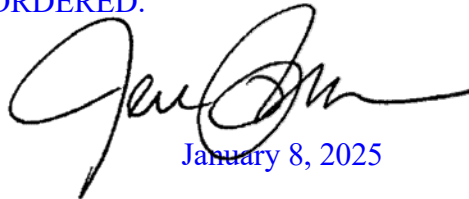
BY ECF

cc: Counsel of Record

The motion to seal is granted temporarily. That said, mere agreement between the parties to keep a document confidential is not sufficient to keep a “judicial document” sealed or redacted. *See, e.g., United States v. Wells Fargo Bank N.A.*, No. 12-CV-7527 (JMF), 2015 WL 3999074, at *4 (S.D.N.Y. June 30, 2015) (citing cases). Thus, if any party believes that the materials at issue should remain sealed or redacted, that party shall file a letter brief, within three days and not to exceed three pages, showing why doing so is consistent with the presumption in favor of public access to judicial documents. *See generally Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006).

The Clerk of Court is directed to terminate ECF No. 155.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', is written over the date. The signature is fluid and cursive.

January 8, 2025